IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO. 2887 OF 2003

PETITIONER : Ravikant Doye, Aged 27 years,
S/o Late R.H. Doye
(Ramchandra Doye)
R/o 542, New Shanti Nagar,
Raipur (C.G.)

P. R. No. 9023/03
Presented by Shri Sameer Sahu
dated 11.09.03

VERSUS

RESPONDENTS

1. State of Chhattisgarh
Through-Secretary,
Department of Education,
Secretariat, Raipur (C.G.)

2. Director, Public Instructor,
Department of Education.

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3. District Education Officer,
Mahasamund (C.G.)

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. No. 1887 सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	17/09/2003 Shri Ashok Das Vaishnav, counsel for the petitioner. Shri Ranbir Singh, GA for the State. The petitioner has preferred this writ petition under Article 226/227 of the Constitution for directing the respondents to give the petitioner appointment on compassionate ground in the Department of Education. The case of the petitioner is that his father namely R.H.Doye was working in the Department of Education as Accounts Officer at Distirct Education Office, Mahasamund and while in service he expired on 04/05/2000. The petitioner made an application for compassionate appointment on 22/05/2000 for the post of Assistant Grade III, which was recommended by the District Education Officer, Mahasamund and it was also recommended by the Director, Public Instructions. Vide letter dated 21/07/200 he sent a letter to the District Education, Mahasamund that since Ravikant Doye has not been appointed on compassionate ground because he has not passed out the typing test and after passing out the	

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

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आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

typing test, his case be recommended again. The petitioner again made a representation vide Annexure P.5) and after passing out the typing test, the District Education Officer made a recommendation on 13/07/2001 to the Director, Public Instructions. The petitioner approached the Minister and also the Chief Minister who forwarded the petitioner's case for consideration, but the petitioner has not been appointed as Assistant Grade III in spite of the fact that the petitioner's case is fully covered under the Compassionate Appointment Scheme. The case of the other similarly situated person Kaushan Singh Thakur has been considered vide order Annexure P/9 regarding the compassionate appointment. The case of the Bilas Kumar has also been considered. The case of Smt. Tulasi Bai has also been considered. Therefore, the respondents be directed to appoint the petitioner on compassionate ground.

I have heard learned counsel for the parties.

Learned counsel for the petitioner submits that the case of the petitioner is fully covered as per the Scheme for

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -3-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

compassionate appointment and the case of the petitioner was recommended by the District Education Officer, Mahasamund to the Director, Public Instructions, but, so far the petitioner has not been appointed in any post.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, I am of the opinion that it will be just and appropriate to allow the petitioner to make a detailed representation to the respondent no.1 for compassionate appointment mentioning all his previous correspondence and recommendations of the District Education Officer and after receipt of the representation of the petitioner, the respondent no.1 shall pass a reasoned order after considering the case of the petitioner for compassionate appointment.

With the aforesaid observations and directions, the writ petition is disposed of. Consequently, M.W.P.No. 2646/2003 for interim relief and I.A.No. 8625/2003 for urgent hearing also stand disposed of.

Sd/-
L.C. Bhadoo
Judge

Raju

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